

## **CABINET**

**DATE OF MEETING: 5 OCTOBER 2023**

**TITLE OF REPORT: UPDATE ON FLOOD ALLEVIATION SCHEMES**

**Report of: Executive Director – Place**

**Cabinet Portfolio: Planning Policy and Place**

**Key Decision: Yes**

**Confidentiality: Non-Exempt**

### **PURPOSE OF REPORT**

1. To provide an update on the three Flood Alleviation Schemes currently coordinated by Hart District Council and seek the consideration and decision of Cabinet. The three projects are:
  - Mill Corner, North Warnborough,
  - Phoenix Green, Hartley Wintney, and
  - Kingsway, Blackwater.

### **RECOMMENDATION**

2. Cabinet approves the following recommendations:
  - a. to close the current project at Mill Corner, North Warnborough but to continue supporting the Environment Agency, which is carrying out an assessment of flooding in this area,
  - b. to work with the Environment Agency to undertake new modelling work at Phoenix Green, Hartley Wintney to re- evaluate the flood risk to properties, and
  - c. to work with the Environment Agency and Thames Water to support the delivery of a flood mitigation scheme at Kingsway, Blackwater.

### **BACKGROUND**

3. Hart District Council has no statutory duty or function to deliver flood alleviation projects. Up to the mid-1990s the Council was the Drainage Authority. In 1996 however, the Environment Agency was established with a remit to protect and improve the environment. It absorbed the responsibilities of a number of organisations including the National Rivers Authority, the Drainage Authority (i.e. Councils), the Waste Regulation Authority and Her Majesty's Inspectorate of Pollution (HMIP). In effect therefore, Hart lost its previous drainage function at that time.
4. In summary the key agencies now with a statutory role for flooding matters are:

- the Environment Agency is responsible for managing the risk of flooding from main rivers and reservoirs and prioritises increasing the resilience of people, property and businesses to the risk of flooding,
  - Hampshire County Council, as the Lead Local Flood Authority (LLFA), is responsible for managing the risk of flooding from surface water, groundwater and ordinary watercourses and to lead on community recovery,
  - Thames Water, as the sewerage undertaker for Hart district, is responsible for the public surface water and foul water sewer systems and has a duty to provide, improve and maintain the sewer network.
5. Appendix 1 provides further detail on the responsibilities of each agency that operate within Hart district.
  6. The Council is now only responsible for some drainage assets that it owns and were not transferred to the Environment Agency in 1996. A new Asset Management Plan is being created for these and is a Service Plan priority.
  7. As part of its aim to facilitate partnership working the Council coordinates the Multi-Agency Flood Forum (MAFF) as a working group of the Overview & Scrutiny Committee. This helps to coordinate the actions of various organisations in Hart district, and aids communication between various partners. The working group has no statutory purpose or powers and is simply a liaison working group.
  8. The Council has in the past coordinated flood projects by seeking funding that the Environment Agency cannot access. In this regard it has supported the assessment and planning of the following three projects:
    - Mill Corner, North Warnborough,
    - Phoenix Green, Hartley Wintney, and
    - Kingsway, Blackwater.
  9. However, for a range of reasons (as set out below) these projects have not progressed to the implementation stage. Indeed, it is not within the Council's gift to deliver them. However, in line with project management best practice, it is appropriate to have a critical review of any project which appears to have stalled.
  10. Funding for these three projects mainly comes from external sources administered by the Environment Agency (EA). In some cases, this is supplemented with funding from the Council and other parties.
  11. While the EA has funding to increase the resilience of people, property and businesses to the risk of flooding, in many cases these funds cannot be spent by the EA themselves. These funding opportunities vary in scope and size and can be accessed by a range of organisations not only District Councils, but also includes the County Council, Parish or Town Councils and local community groups.
  12. The EA can also provide a Property Flood Resilience (PFR) grant of up to £5,000 directly to homeowners. The grant is intended to help people make their

properties more resilient to the impacts of flooding, and include measures include flood doors, barriers and air brick covers installed onto properties.

## **CONSIDERATION BY OVERVIEW AND SCRUTINY COMMITTEE**

13. A report was considered by the Overview & Scrutiny on the 15 August 2023 where the draft recommendations for the three flood alleviation schemes were discussed.
14. Members debated:
  - whether there was sufficient funding to cover the cost of the Kingsway project. It was noted that it might be possible to bid for further funding once the scheme had been commenced,
  - managing the expectations of residents to ensure that they know what would happen if the funding was not forthcoming,
  - whether all homeowners would need to opt into the Kingsway scheme – it was felt that there was no need to wait for all to agree before starting the project.
15. In light of the comments and discussions at Overview and Scrutiny, the report has been updated. The funding requirements and scope of the Kingsway project have been clarified and further detail has been added to support the queries raised during the meeting.

## **MILL CORNER, NORTH WARNBOROUGH**

16. The Mill Corner project was set up in response to flooding that occurred in 2000 and 2007 where several properties were impacted. Flooding also occurred in 2013, 2014 and 2020.
17. The original scheme would use Natural Flood Management (NFM) to reduce flood risk to 21 properties. NFM is when natural processes are used to reduce flood risk including woody debris dams, balancing ponds and wetland habitats.
18. The scheme as originally planned is no longer deliverable. This is because the respective landowners will not give their permission. Furthermore, the modelling demonstrates the scheme would lead to agricultural land and other private land being flooded. Again, no affected landowners' permission has been given.
19. For the scheme to proceed numerous regulatory consents would still be needed for the scheme to be implemented. For example, part of the land is a Site of Special Scientific Interest (SSSI) which would require consent from Natural England. This permission is not yet forthcoming.
20. Since the scheme was initially envisaged there has been a change in circumstances. The EA has carried out its own 'Initial Assessment' of Mill Corner, North Warnborough to determine the feasibility for alternative Flood Alleviation Projects in this area.

21. It is understood that the EA's new Mill Corner, North Warnborough project will be progressed from the initial assessment stage. The EA itself is more likely to succeed in delivering alternative solutions as they have a broader scope covered by their project and the EA has found additional solutions to the issues that were not covered under the Council's scheme.
22. There is no prospect of the original Mill Corner scheme being delivered. It is for this reason that the project should be closed. The Council will however, continue to support the work by the EA on its new approach, although the EA itself would lead and manage any alternative project.

### **PHOENIX GREEN, HARTLEY WINTNEY**

23. This project was set up in response to a flood event in 2007 where 20 properties experienced internal flooding caused by surface water run-off. Flooding also occurred in 2000 and 2009 where up to 38 properties were either directly or indirectly impacted. Some of the 38 properties affected are owned by Vivid Homes.
24. The original scheme would use a combination of Property Flood Resilience (PFR) measures (e.g. flood doors, barriers and air brick covers installed onto properties) and Natural Flood Management (NFM) to reduce the risk of flooding to 38 properties.
25. Due to the nature of the project, the Environment Agency (EA) was unable to claim for the relevant funding and the Council stepped in and took on the project coordination role and was able to access the funding. Delivery of the project still requires the support of the EA.
26. A feasibility study funded by the EA, completed in 2016 investigated several alternative options. That study recommended a scheme involving both PFR and NFM measures:
  - the PFR measures would involve 38 properties (some private, some owned by Vivid Homes). Legal agreements would be required with each individual property owner and an agreement with Vivid Homes for their properties. There is however, no consensus with residents to agree to the measures required to protect their homes
  - the NFM measures included were impoundment areas created by embankments and wooded debris dams upstream of the Phoenix Green area. The challenge here again was a combination of mixed land ownership, working on common land, and the impact on Ancient Woodland. All of this mean that it is unlikely to be delivered.
27. In reviewing this project, it is noted that:
  - there have been no reports of flooding to the properties in the area since 2009,
  - the evidence is that the drainage and surface water mitigation arrangements at the St. Mary's Park development at Dilly Lane Hartley Wintney has had a positive impact on the surface water drainage in the area. That development included a sustainable drainage strategy with

several soakaways, an attenuation basin, wetland features and swales. It has reduced the surface water flow that leaves the site from 41 litres per second to 25 litres per second meaning flood risk to the wider area has been significantly reduced,

- Whilst there have been incidents of flash flooding since the St. Mary's Park development was completed, this did not affect the properties previously considered to be at risk, nor any other properties.
28. The flood alleviation scheme at Phoenix Green is now no longer required as the properties have not flooded for the last 14 years. However, it is considered prudent for reassurance purposes to support the EA by commissioning new modelling to re-evaluate the risk to properties in this area. A decision can then be taken as to whether any interventions are justified and what they would look like, or to close the project.
29. £23,500 of EA funding remains from the original grant EA grant of £147,000. This and additional funding available from the EA can be used to fund the modelling work. The procurement process can commence if approval by Cabinet.

## **KINGSWAY, BLACKWATER**

30. Of the three schemes, Kingsway, Blackwater has the most significant flooding issues, suffering regularly from both surface and foul water flooding which affects 42 properties. Some of the 42 properties are owned by Vivid Homes.
31. The Kingsway project referred to in this report solely relates to the Property Flood Resilience (PFR) measures proposed by the Council.
32. There are other elements of flood alleviation/management taking place in Kingsway area that do not form part of the Hart District Council project. These include:
- Thames Water have included the Kingsway rain garden scheme in their Drainage and Wastewater Management Plan 2025-2050 (DWMP) which sets out their long-term approach to protecting the environment, reducing the risk of sewer flooding to homes, and reducing storm discharges,
  - Thames Water are considering improvements to Hawley Hill balancing pond to reduce flood impacts,
  - the creation of a multi-agency group comprising Hart District Council, Hampshire County Council, EA, Thames Water and Network Rail to discuss the drainage / culvert issues and identify solutions.
33. Any decision made on this project relates only to the PFR measures. Each of the other elements can be delivered individually and the Council will continue to work with other agencies to progress the other projects.
34. The PFR measures would require legal agreements with each individual property owner and an agreement with Vivid Homes will need to be signed for all Vivid- owned properties.

35. Due to the nature of the project, the EA is unable to claim for the relevant funding. The Council therefore took on the project coordination role and were able to access the funding.
36. This scheme does not rely on any further funding from the Council. The Council has secured the following:
  - £53,500 remains from a previous funding claim and a further £234,000 has been secured but not yet claimed from grants administered by the EA (a combination of Flood Defence Grant in Aid from the Department for Environment Fisheries and Rural Affairs, and local levy from the Regional Flood and Coastal Committee),
  - £38,000 from Hampshire County Council,
  - contributions from Blackwater & Hawley Town Council and Vivid Homes were previously agreed but would need to be reconfirmed.
37. The project is deliverable. The recommendation is to continue to support the project in its current form. There is however, a risk that property owners do not take up the PFR offer which would reduce the effectiveness of PFR for adjoining properties. This risk always exists with PFR on such properties and in this case is not necessarily a reason to stop the project at this time.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

38. There is no alternative option but to close down the Mill Corner project. It is not deliverable. Instead, the Council will work with the EA on its alternative projects for this area.
39. The challenges for the Phoenix Green, Hartley Wintney project mean that continuing with the current project is not feasible. Furthermore, the need for the project has diminished. However, it would be prudent to support the commissioning of new modelling to re-evaluate the risk to properties in this area.
40. Closing down the Kingsway, Blackwater project is rejected because of the severity and regularity of flood events. Funding is secured from external partners, and it is a deliverable project where progress is being made. Without it, properties will continue to flood even if other measures are implemented to reduce flood risk.

## **CORPORATE GOVERNANCE CONSIDERATIONS**

### **Relevance to the Corporate Plan and/or The Hart Vision 2040**

41. Corporate Plan 2023/2027:
  - Planet: a carbon neutral and climate resilient district by 2040 - Support climate mitigation schemes such as flood alleviation, and the delivery of low or carbon neutral electricity generation.
  - Building a resilient Council: Delivering what matters to you - Ensuring effective use of our assets and to make the council more financially self-sustaining.

## **Service Plan**

- Is the proposal identified in the Service Plan? Yes
- Is the proposal being funded from current budgets? Yes
- Have staffing resources already been identified and set aside for this proposal? Yes

## **Legal and Constitutional Issues**

43. To deliver the Property Flood Resilience (PFR) measures the Council will need to enter into legal agreements with the relevant property owners. If such agreements cannot be reached with each individual landowner, then the project is not feasible. There is also no agreement with the respective private property owners to contribute to measures that are solely proposed for their private benefit.

## **Financial and Resource Implications**

### **44. Mill Corner:**

- £26,800 remains from £50,000 that was previously secured from the EA expenditure on studies and designs. This would be returned to the EA if the project closes.

### **45. Phoenix Green:**

- The Council originally claimed £147,500 from the EA for this scheme, £23,500 of which remains and will be used to support new modelling work.
- In January 2020 Cabinet agreed that HDC would fund £70,000 towards this project, match funding £70,000 from Vivid Homes. If the project does not proceed after the modelling work this money will be retained in reserves.
- As it stands there is a further £336,000 of available external funding for this project from the EA and DEFRA. However, the project could change, or close down, in light of the modelling work.
- Officer time is required to progress the procurement of modelling work which is a resource implication for the Council.

### **46. Kingsway:**

- £53,500 remains from a previous EA funding claim of £142,500.
- Also available for this project is a further £234,000 from the EA and £38,000 from Hampshire County Council. Both have been secured but not yet claimed.
- Contributions from Blackwater & Hawley Town Council and Vivid Homes were previously agreed but would need to be reconfirmed.
- The funding provided by the EA is sufficient to carry out the project and therefore the Council will not need to contribute any funds.
- The intention is to capitalise Officer time so that it is funded as part of the overall project costs.

## **Risk Management**

47. Mill Corner: The risk of closing this project is minimal as it is not a deliverable project. There is a greater chance of success by supporting the EA with its work in this area.
48. Phoenix Green: The risk is that the results of new modelling identify the need for a project in this area. If this is the case the Council will support partner organisations to see what solutions may be deliverable. However, this is unlikely given the evidence of changes that have happened in the area and the absence of reported flood events in recent years.
49. Kingsway: The main risk is that some residents within a row of terraced properties decline the PFR measures. That would potentially reduce the effectiveness of the PFR measures as flood water might be able to access those properties via adjoining unprotected properties.

## **EQUALITIES**

50. The proposals set out in this paper are not considered to have an impact on equality. They are based around properties at flood risk regardless of occupancy.

## **CLIMATE CHANGE IMPLICATIONS**

51. Addressing flood risk is a means of adapting to the effects of climate change which is expected to increase the risk of flooding. The recommendations are not expected to impact on carbon reduction targets.

## **ACTION**

52. Cabinet approves the recommendations in this report.

## **Appendices**

Appendix 1: Responsibilities for Flood Risk Management Appendix 2: Overview Map of the Flood Schemes